

use, and further requiring that a warning card board be posted in a conspicuous place by the drinking fountain in the passenger cars of all railway trains in this State and in all railway stations cautioning against the dangers of drinking cups and commending the advisability of providing cups for individual use, and providing and fixing a penalty for violation of any provisions of this Act, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

PEELER, Chairman.

Committee Room,

Austin, Texas, Feb. 1, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

Senate bill No. 151, A bill to be entitled "An Act to regulate the practice of veterinary medicine, surgery and dentistry, creating a board for the examination of applicants for the practice of veterinary medicine, surgery and dentistry, prescribing their powers, duties and qualifications, said board to be known as the 'State Board of Veterinary Medical Examiners,' prescribing penalties for a violation of the provisions of this Act, and declaring an emergency,"

Have had the same under consideration, and I am directed to report same back to the Senate with the recommendation that it do pass.

PEELER, Chairman.

FIFTEENTH DAY.

Senate Chamber,

Austin, Texas,

Saturday, Feb. 4, 1911.

The Senate met pursuant to adjournment, President Pro Tem Hudspeth presiding.

Roll call, no quorum being present, the following Senators answering to their names:

Adams.	Terrell, McLennan.
Carter.	Townsend.
Hudspeth.	Vaughan.
McNealus.	Watson.

Absent.

Astin.	Cofer.
Bryan.	Collins.

Greer.
Hume.
Johnson.
Kauffman.
Lattimore.
Mayfield.
Meachum.
Murray.
Paulus.
Peeler.

Perkins.
Ratliff.
Real.
Sturgeon.
Terrell, Wise.
Ward.
Warren.
Weinert.
Willacy.

ADJOURNMENT.

There being no quorum present, on motion of Senator Terrell of McLennan the Senate adjourned until 10:00 o'clock Monday morning.

SIXTEENTH DAY.

Senate Chamber,

Austin, Texas,

Monday, Feb. 6, 1911.

The Senate met pursuant to adjournment, and was called to order by President Pro Tem. Hudspeth.

Roll called, quorum being present, the following Senators answering to their names:

Adams.
Bryan.
Carter.
Greer.
Hudspeth.
Hume.
Lattimore.
Mayfield.
McNealus.
Murray.
Peeler.

Perkins.
Ratliff.
Real.
Terrell, McLennan.
Terrell, Wise.
Townsend.
Vaughan.
Ward.
Warren.
Willacy.

Absent.

Astin.
Cofer.
Collins.
Johnson.
Kauffman.

Meachum.
Paulus.
Sturgeon.
Watson.
Weinert.

Prayer by the Chaplain.

Pending the reading of the Journal of Saturday, on motion of Senator Perkins the same was dispensed with.

REGULAR ORDER.

The Chair called the regular order of business. See Appendix for committee reports and petitions and memorials

FIRST HOUSE MESSAGE.

Hall of the House of Representatives.

Austin, Texas, Feb. 6, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 74, a bill to be entitled "An Act to provide for the eradication of sheep scab within the State; prohibiting the importation of scab infested sheep; providing for a State Inspector and county inspectors of sheep; defining their duties; repealing Title 111 of the Revised Statutes of Texas, and all laws and parts of laws in conflict herewith; making an appropriation to carry this Act into effect; prescribing penalties, and declaring an emergency," with amendment.

House bill No. 50, A bill to be entitled "An Act to exempt the county of Starr from the provisions and operations of Articles 5002 and 5042, inclusive, of Chapter 6, Title 102, of the Revised Statutes of 1895, amended by the Acts of the Twenty-eighth and Twenty-ninth Legislatures, relating to the inspection of hides and animals, and repealing all laws in conflict therewith, and declaring an emergency."

House bill No. 139, A bill to be entitled "An Act creating the Deport Independent School District in Lamar and Red River counties, and defining its boundaries; providing for the election of a board of trustees, raising revenues by taxation, issuing bonds and maintaining public free schools therein; repealing House bill No. 564, Chapter 64, of the Special Laws of the Thirty-first Legislature, creating the Deport Independent School District in Lamar county, and declaring an emergency."

House bill No. 83, A bill to be entitled "An Act to dissolve the Independent School District in the town and vicinity of Katemcy, county of Mason, State of Texas, and described herein by metes and bounds; said independent district having been established under Acts of 1905, Chapter 11, Title 18, Revised Statutes, on February 11, 1907, and Article 616, Revised Statutes, 1895, as amended by Chapter 45 of the Twenty-fifth Legislature, 1897, and declaring an emergency."

House bill No. 111, A bill to be entitled "An Act to create the 'County Court of Bexar county for Civil Cases' to define the jurisdiction thereof, and to conform to such change the jurisdiction of the County Court of Bexar county, fixing the salary of the judge of the County Court of Bexar county for civil cases; providing for the appointment and election of the judges of said court hereby created, providing for the appointment of special judges and filling of vacancies in said office, and declaring an emergency."

House bill No. 76, A bill to be entitled "An Act creating a more efficient road system for Shelby county, Texas, giving the road superintendency of said county to the commissioner and the commissioners' court. Each commissioner of said county is to superintend all public roads in his commissioners precinct, defining the powers and duties and fixing the salary of each commissioner for road and bridge supervision and fixing penalties therefor, defining powers and duties of commissioners in said county with reference to road supervision, providing a method by which county convicts shall be worked upon county roads in said county; providing additional duties for road overseers in said county and additional powers; providing time hands shall be required to work on public roads in said county, fixing penalties for failure to do road duty in said county; defining the powers and duties of county judge in said county, with reference to roads in said county; providing for the repeal of Chapter 10, Acts of the Thirty-first Legislature of the State of Texas, known as a 'Special Road Law for Shelby county, Texas,' repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

House bill No. 142, A bill to be entitled "An Act for the protection of stock raisers, farmers and horticulturists, providing for the destruction of wolves and other wild animals, to make an appropriation therefor, to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

House bill No. 221, A bill to be entitled "An Act to authorize and empower the Commissioner of Agricul-

ture of the State of Texas to employ a civil engineer having a practical knowledge of conservation of moisture and soil fertility, who understands the practical art of terracing farm lands to prevent the washing away and the destruction of the properties of the soil, to instruct the farmers by practical demonstrations in terracing, providing an appropriation therefor, and declaring an emergency."

House bill No. 135, A bill to be entitled "An Act to prohibit the sale, gift, delivery, or other disposition of intoxicating liquors to convicts in this State; defining a convict, defining intoxicating liquors, and prescribing adequate penalties."

House bill No. 9, A bill to be entitled "An Act to create the county court of Harris county for civil cases; to define the jurisdiction thereof and to conform to such change the jurisdiction of the county court of Harris county, and declaring an emergency."

House bill No. 32, A bill to be entitled "An Act providing that the owners, lessees, operators or receivers of all cotton gins in the State shall write or stamp with indelible ink upon each and every bale of cotton ginned the word 'Tare,' the weight of the bagging and ties in which the cotton is wrapped, written or stamped with indelible ink in plain figures, defining separate offenses and providing penalties, declaring it unlawful for any person, firm, corporation, cotton exchange or board of trade to make greater deductions for tare either from the gross weight of any bale of cotton or the price of same than is shown by the figures written or stamped thereon, defining separate offenses, providing penalties and declaring an emergency."

House bill No. 51, A bill to be entitled "An Act to amend an Act of the Thirty-first Legislature, entitled 'An Act to create a Bureau of Labor Statistics, and to provide for the appointment of a Commissioner of said Bureau, and to fix the duties of the said Commissioner, and to provide for the organization and maintenance of said Bureau, and for collection, preservation and dissemination of labor statistics in Texas, and declaring an emergency,' so as to provide

for the appointment by the Commissioner of Labor Statistics of an Inspector of Safety Appliances, and also to provide for the appointment by such Commissioner of a clerk and a factory inspector, and increasing the appropriation for traveling expenses, and declaring an emergency."

House bill No. 3, A bill to be entitled "An Act to amend Article 1546, Chapter 2, Title 32 of the Revised Statutes of 1895, which provides that any person living in the prescribed limits of said town or village, having received the notice provided for in the foregoing Article and failing to comply therewith, shall be deemed guilty of a misdemeanor and punished as provided for in the penal code; and declaring an emergency."

House bill No. 161, A bill to be entitled "An Act to create a more efficient road system for Nolan county, Texas, and making county commissioners ex officio road commissioners of their respective precincts and prescribing their powers and duties as such and providing for the compensation of such road commissioners, and providing for the purchase of material for the construction and maintenance of roads and bridges and providing for the compensation for such material, and prescribing certain duties for road overseers; providing a compensation of \$2.00 per day for overseers for each day's service per year in excess of five days; providing certain duties for county treasurers; providing that any person liable for road duty any year shall be exempt upon the payment of \$3.00 into the county treasury; providing for money payment in lieu of work after summons and before date of work; providing that this Act is cumulative of the General Laws, and fixing penalties and declaring an emergency."

House bill No. 65, A bill to be entitled "An Act to prohibit any person, association of persons, corporation or receiver, owning, operating or managing any mine in this State from feeding or permitting to be fed any work animal in said mines, or to store or to keep any feed for such animal in said mines; providing that no work animal shall be permitted to remain in any mine longer than ten consecutive hours; fixing penalties for the violation of this Act, and de-

claring an emergency," with engrossed rider

House bill No. 64, A bill to be entitled "An Act to require the owners and operators of mines in Texas to insulate or protect live electric wires so that persons or animals coming in contract with same shall not be injured, and to provide a penalty for such neglect," with engrossed rider.

House bill No. 67, A bill to be entitled "An Act to require the inspection of air brakes and attachments and the testing of brakes on all trains, operated on all lines of railroad in this State by competent inspectors, and providing a penalty for the violation thereof," with engrossed rider.

Respectfully,
BOB BARKER,
Chief Clerk, House of Representatives.

BILLS READ AND REFERRED.

The Chair (President Pro Tem. Hudspeath) had referred, after their captions had been read, the following House bills:

(See above House message for captions.)

House bill No. 76, referred to Committee on Roads, Bridges and Ferries.

House bill No. 142, referred to Committee on Stock and Stock Raising.

House bill No. 221, referred to Committee on Agricultural Affairs.

House bill No. 135, referred to Judiciary Committee No. 2.

House bill No. 64, referred to Committee on Mining and Irrigation.

House bill No. 9, referred to Committee on Judicial Districts.

House bill No. 65, referred to Committee on Mining and Irrigation.

House bill No. 83, referred to Committee on Educational Affairs.

House bill No. 111, referred to Judiciary Committee No. 1.

House bill No. 51, referred to Committee on Labor.

House bill No. 32, referred to Judiciary Committee No. 2.

House bill No. 139, referred to Committee on Educational Affairs.

House bill No. 161, referred to Committee on Roads, Bridges and Ferries.

House bill No. 50, referred to Committee on Stock and Stock Raising.

House bill No. 67, referred to Committee on Internal Improvements.

House bill No. 3, referred to Judiciary Committee No. 2.

SENATE BILL NO. 164 RE-REFERRED.

Senator Murray moved that Senate bill No. 164 be re-referred to Committee on Mining and Irrigation. The motion was adopted.

BILLS AND RESOLUTIONS.

By Senator Vaughan:

Senate bill No. 173, A bill to be entitled "An Act to require that in moving any train, locomotive or car, over any railroad track, or street railway track, toward any crossing or other place on such track, which travelers or the public have the right to use, the person or persons in charge of or entrusted with the operation of such train, locomotive or car, shall use ordinary care to keep a lookout to discover and avoid injury to persons at or using or about to use such crossing or place; and to provide that a failure on the part of the persons in charge of or entrusted with the operation of any train, locomotive or car, to use such care shall render such person or persons, and his or their employer, the owner, lessee, operator or receiver of such railway or street railway, liable to any person injured, or in case results from such failure to use such care, then to the person or persons entitled under the law to maintain an action for the death of the person killed, for all such damages as may result from the failure of such person or persons in charge or entrusted with the operation of such train, locomotive or car, to use such care as is imposed by the provisions of this Act; and to provide that contributory negligence of the person injured or killed through the failure to use such care as is imposed by the provisions of this Act, shall not be a defense against any action to recover damages for such injury or death, when by the exercise of such care as is imposed by this Act, the person or persons in charge of or entrusted with the operation of such train, locomotive or car, could have discovered the person injured or killed to be in or exposed to danger, in time by the exercise of ordinary care on their part, to have avoided killing or injuring such person.

Read first time and referred to Committee on Internal Improvements.

By Senator Adams:

Senate bill No. 174, A bill to be entitled "An Act to amend Chapter 79 of the General Laws of the State of Texas, passed by the Twenty-seventh Legislature, and Chapter 51, Acts of the Thirty-first Legislature, approved March 16, 1909, creating a more efficient road system for Brown county; providing for the creation of road districts in any political subdivision or any defined district hereafter to be described in said county, prescribing the procedure necessary to the creation of such district; authorizing such districts to issue bonds for the purpose of constructing and maintaining under the direction of the commissioners court of said county, of macadamized, graveled or paved roads or turnpikes, or in aid thereof; providing for the holding of election and the manner thereof, to determine whether or not said bonds shall be issued, declaring the qualification of voters at such election; providing for the interest on such bond and creating a sinking fund for the retirement of same, and providing for the assessment and collection of taxes for such purposes; providing for the investment of said sinking funds and for its custody and deposit when not invested; providing that the court shall take notice of this Act in the same manner as General Laws of this State, making it cumulative of the General Laws of this State, except when in conflict with this Act, and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Hume:

Senate bill No. 175, A bill to be entitled "An Act to amend Article 642, of the Revised Civil Statutes of Texas, 1885, as amended by Chapter 130, Acts of the Twenty-fifth Legislature; Chapter 43, Acts of the Twenty-sixth Legislature; Chapter 43, Acts of the Twenty-seventh Legislature; Chapter 129, Acts of the Twenty-eighth Legislature; Chapter 62, Acts of the Twenty-ninth Legislature; Chapter 150, Acts of the Thirtieth Legislature, by adding to said Article 642 a new subdivision to be known as Subdivision 72, providing for the organization of As-

sets Realization Companies, to purchase for liquidation and sale the assets of estates, and loaning or placing money upon any character of assets or securities."

Read first time and referred to Judiciary Committee No. 1.

By Senator Willacy:

Senate bill No. 176, A bill to be entitled "An Act to incorporate the City of Laredo, Webb county, Texas, and to grant it a charter; to provide for its form of government; to define its powers and to prescribe its duties and liabilities; to repeal all Acts in conflict herewith, and to declare an emergency."

Read first time and referred to Committee on Towns and City Corporations.

By Senator Hudspeth:

Senate bill No. 177, A bill to be entitled "An Act to enable the people of the arid sections of the State to receive the benefits of the United States Reclamation Act, by declaring that water users' associations organized under the authority of such Act, and the regulations of the Department of the Interior of the United States, to be not subject to charter fees and franchise taxes, and declaring an emergency."

Read first time and referred to Committee on Internal Improvements.

By Senator Terrell of McLennan:

Senate bill No. 178, A bill to be entitled "An Act amending Chapter 12 of the Acts of the Thirty-first Legislature of the State of Texas, approved February 18, 1909, by adding thereto Section 50a, 50b, 50c, and Sections 154b, 154c and 154d; providing for the establishment of common county line school districts, providing for the establishment of independent school districts, or school incorporation containing territory within two or more counties; also providing for the change and abolishment of such districts, and providing for the rights, powers, and privileges of such county line school districts, as well as the means and methods for the management and control of such school districts."

Read first time and referred to Committee on Educational Affairs.

By Senator Hume:

Senate bill No. 179, A bill to be

entitled "An Act to amend Article 2977, Title 55, Chapter 4 of the Revised Civil Statutes of the State of Texas, relating to divorce."

Read first time and referred to Judiciary Committee No. 1.

By Senator Terrell of Wise:

Senate bill No. 180, A bill to be entitled "An Act to amend and extend the special road law of Wise county, Texas, as enacted by the Twenty-seventh Legislature of Texas, so that the same shall hereafter read as herein provided, and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Vaughan:

Senate bill No. 181, A bill to be entitled "An Act to amend Sections 8, 13, 14, 16, 17, and 21, of Chapter 17, of the General Laws of the First Called Session of the Thirtieth Legislature, relating to the taxation of the intangible assets of railroad companies, ferry companies, bridge companies, turnpike and toll companies doing business wholly or in part within the State of Texas, and every other individual company, corporation or association of persons doing business of the same character in this State, so as to provide that in addition to the taxation of the intangible assets as provided in said Act, said railroad companies, ferry companies, bridge companies, turnpike and toll companies and every other individual, company, corporation or association doing business of the same character in this State shall also pay local taxes thereon to incorporated cities, school districts and road districts in the State; providing for violation of this Act; and declaring an emergency."

Read first time and referred to Committee on Internal Improvements.

By Senator Townsend, (by request):

Senate bill No 182, A bill to be entitled "An Act to amend Article 5250, 5260, 5261, of the Revised Statutes of 1895, and to prescribe what the pleading of plaintiff and defendant, in cases of trespass to try title shall contain, and to fix the time for demanding and filing abstracts of title."

Read first time and referred to Judiciary Committee No. 1.

By Senator Townsend, (by request):

Senate bill No. 183, "An Act to amend an act passed by the Thirty-first Legislature, approved April 20, 1909, and to amend Article 1264 of the Revised Statutes of 1895, as amended by said bill, and to fix the time of filing an answer in all cases where the defendant is cited by publication."

Read first time and referred to Judiciary Committee No. 1.

By Senator Hudspeth

Senate bill No. 184, "An Act to fix the venue of suits brought by the State of Texas, for the recovery of the title and possession of land, or damages thereto, repealing all laws in conflict therewith, and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senator Vaughan:

Senate bill No. 185, "An Act authorizing the trustees of common school districts and independent school districts to direct the time for conducting the public free schools in such districts, at such time, and in such number of terms as may be deemed by them for the best interest of those within the scholastic age entitled to attend such schools and to suspend any term of such school when the average daily attendance thereon shall fall below 30 per cent of the time the scholastic population of such district."

Read first time and referred to Committee on Educational Affairs.

Morning call concluded.

SIMPLE RESOLUTION—PENDING BUSINESS.

The Chair laid before the Senate, as pending business, a simple resolution by Senator Ratliff, et. al., providing for the regulation of the heat of the Senate Chamber, etc.

On motion of Senator Mayfield, the resolution was referred to Committee on Contingent Expenses.

SENATE BILL NO. 131.

The chair laid before the Senate as regular order (local bill) and on second reading,

Senate bill No. 131, A bill to be entitled "An Act to amend Chapter 80, Special Laws, passed by the Regular Session of the Thirtieth Legislature of the State of Texas, approved April 15, 1907, and to amend Chapter 71 of the Special Laws passed by the Regular Session of the Thirty-first Legislature of the State of Texas, approved March 17, 1909, and to create a more efficient road law for Lee county, Texas, authorize and empower the said county to issue bonds or levy a tax for the construction of bridges and the construction and maintenance of public roads and highways in said county, and regulating the compensation of certain officers, providing for the working of convicts on county roads, relieving certain persons subject to road duty from such duty upon the payment of certain sums of money, providing for the number of days road hands are subject to duty and providing certain duties and powers of the commissioners court of said county, and fixing the compensation of the members of said court for said services, providing for the collection of poll taxes due the county by labor upon public roads, providing for the condemnation of lands and property for public road use, providing for certain drainage ditches, pits, etc., and providing for the creation of road precincts and changes therein, and for the appointment of road overseers, and providing for the working of said public roads and providing that the commissioners shall be supervisors and instructors of said roads and for their salary therefor, and providing for the prorating of all funds derived from road tax among the several commissioner precincts, and providing for the payment of officers' costs in cases where county convicts are worked upon county roads, and authorizing and empowering the commissioners court to contract with individuals for the construction and repair of bridges and culverts, and for the purchase of all necessary teams, tools and road machinery deemed necessary, and declaring an emergency."

Bill read second time, and ordered engrossed.

On motion of Senator Peeler, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Adams.	Perkins.
Bryan.	Ratliff.
Carter.	Real.
Greer.	Terrell, McLennan
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Murray.	Willacy.
Peeler.	

Absent.

Astin.	Meachum.
Cofer.	Paulus.
Collins.	Sturgeon.
Johnson.	Watson.
Kauffman.	Weinert.

The bill was read third time and passed by the following vote:

Yeas—21.

Adams.	Perkins.
Bryan.	Ratliff.
Carter.	Real.
Greer.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Murray.	Willacy.
Peeler.	

Absent.

Astin.	Meachum.
Cofer.	Paulus.
Collins.	Sturgeon.
Johnson.	Watson.
Kauffman.	Weinert.

Senator Peeler moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

EXCUSED.

On motion of Senator McNealus, Senators Peeler, Mayfield, Astin, Real and Weinert were excused for non-attendance upon the Senate last Saturday on account of being on committee work of inspection of Southwestern Insane Asylum.

On motion of Senator McNealus, Senators Sturgeon, Murray, Greer, Lattimore, Meachum, Warren and

Ward were excused for non-attendance upon the Senate for Saturday on account of committee work of inspection.

SENATE BILL NO. 74 — HOUSE AMENDMENTS CONCURRED IN.

Senator Peeler called up, for the purpose of moving to concur in House amendments,

Senate bill No. 74, A bill to be entitled "An Act to provide for the eradication of sheep scab within the State, prohibiting the importation of scab-infected sheep, providing for a State inspector and county inspector of sheep, defining their duties, repealing Title 61 of the Revised Statutes of Texas, and all laws and parts of laws in conflict herewith, making an appropriation to carry this Act into effect, prescribing penalties, and declaring an emergency," with the following House amendment:

Amend Senate bill No. 74 by striking out Section 7, page 3, line 28, the word "and" and insert in lieu thereof the word "or," (said word and being between the figures 5 and 6.)

Senator Peeler moved that the Senate concur in the above House amendment, which motion to concur prevailed.

SECOND HOUSE MESSAGE.

Hall of the House of Representatives.
Austin, Texas, Feb. 6, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

House Concurrent Resolution No. 23, relating to the Joint Rules of the House and Senate.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

RESOLUTION READ AND REFERRED.

The Chair (President Pro Tem. Hudspeth) had referred, after its caption had been read, the following House Resolution No. 23:

House Concurrent Resolution No. 23, referred to Committee on Rules.

SENATE BILL NO. 50.

Senator Hume called up Senate bill No. 50 (local bill), and

On motion of Senator Hume, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering Senate bill No. 50 (see Appendix for committee report).

Yeas—21.

Adams.	Perkins.
Bryan.	Ratliff.
Carter.	Real.
Greer.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Murray.	Willacy.
Peeler.	

Absent.

Astin.	Meachum.
Cofer.	Paulus.
Collins.	Sturgeon.
Johnson.	Watson.
Kauffman.	Weinert.

The committee report, which provided that the bill be not printed, was adopted.

The chair laid before the Senate on second reading and regular order (local bill)

Senate bill No. 50, A bill to be entitled "An Act to create a more efficient road system for El Paso county, Texas; making the county commissioners of said county ex officio road commissioners and prescribing their duties and compensation; providing for the working of persons subject to road duty upon public roads and city streets, and providing for the amount of time that shall be allowed for teams on road work, and providing for the payment of \$3 in lieu of road work; making delinquent poll tax payers subject to road duty; making it unlawful and providing penalties for injuring any road or anything placed thereon for its benefit, and for injuring trees growing on any public road, and for throwing nails, tacks, glass and like substances upon any public road, and for hauling over a public road a vehicle with wheels that tear and injure the road, and for erecting fences or other encroachments upon a public road; and providing for the passage of vehicles on the road and fixing a penalty for failure to comply with such provisions;

providing for the condemnation of land for road purposes and making it cumulative of the general laws; and declaring an emergency."

Bill read second time, and ordered engrossed.

On motion of Senator Hume, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Adams.	Perkins.
Bryan.	Ratliff.
Carter.	Real.
Greer.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Murray.	Willacy.
Peeler.	

Absent.

Astin.	Meachum.
Cofer.	Paulus.
Collins.	Sturgeon.
Johnson.	Watson.
Kauffman.	Weinert.

The bill was read third time and passed by the following vote:

Yeas—21.

Adams.	Perkins.
Bryan.	Ratliff.
Carter.	Real.
Greer.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Murray.	Willacy.
Peeler.	

Absent.

Astin.	Meachum.
Cofer.	Paulus.
Collins.	Sturgeon.
Johnson.	Watson.
Kauffman.	Weinert.

Senator Peeler moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 92.

Senator Murray called up Senate bill No 92 (local bill), and

The Chair laid before the Senate on second reading,

Senate bill No. 92, A bill to be entitled "An Act to amend Chapter 69 and Chapter 124 of the Acts of the Regular Session of the Thirtieth Legislature of the State of Texas, as amended by the Second Called Session of the Thirty-first Legislature, said amended Act being known as Chapter 18, and approved May 12, 1909, transferring the county of Bee from the Twenty-fourth Judicial District to the Thirty-sixth Judicial District, and to change the time of holding district court in said Twenty-fourth and Thirty-sixth Judicial Districts, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Murray, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Adams.	Perkins.
Bryan.	Ratliff.
Carter.	Real.
Greer.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Murray.	Willacy.
Peeler.	

Absent.

Astin.	Meachum.
Cofer.	Paulus.
Collins.	Sturgeon.
Johnson.	Watson.
Kauffman.	Weinert.

The bill was read third time and passed by the following vote:

Yeas—21.

Adams.	Hudspeth.
Bryan.	Hume.
Carter.	Lattimore.
Greer.	Mayfield.

McNealus.	Terrell, Wise.
Murray.	Townsend.
Peeler.	Vaughan.
Perkins.	Ward.
Ratliff.	Warren.
Real.	Willacy.
Terrell, McLennan.	

Absent.

Astin.	Meachum.
Cofer.	Paulus.
Collins.	Sturgeon.
Johnson.	Watson.
Kauffman.	Weinert.

Senator Murray moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 66.

Senator Bryan called up Senate bill No. 66 (local bill), and

The Chair laid before the Senate on second reading,

Senate bill No. 66, A bill to be entitled "An Act to validate and legalize all sales of real estate belonging or that belonged to Gaines county, situated in the town of Seminole in Gaines county, heretofore made at private sale for and in behalf of said county by J. W. Miller in his representative capacity as commissioner, under appointment of the commissioners' court of said county, by orders entered upon its minutes, to sell and dispose of real estate of said county situated in said town, and also validating all conveyances of said real estate made by said commissioner as such, in consummating such sales, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Bryan, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Adams.	Hume.
Bryan.	Lattimore.
Carter.	Mayfield.
Greer.	McNealus.
Hudspeth.	Murray.

Peeler.	Townsend.
Perkins.	Vaughan.
Ratliff.	Ward.
Real.	Warren.
Terrell, McLennan.	Willacy.
Terrell, Wise.	

Absent.

Astin.	Meachum.
Cofer.	Paulus.
Collins.	Sturgeon.
Johnson.	Watson.
Kauffman.	Weinert.

The bill was read third time and passed by the following vote:

Yeas—21.

Adams.	Perkins.
Bryan.	Ratliff.
Carter.	Real.
Greer.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Murray.	Willacy.
Peeler.	

Absent.

Astin.	Meachum.
Cofer.	Paulus.
Collins.	Sturgeon.
Johnson.	Watson.
Kauffman.	Weinert.

Senator Bryan moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 139.

Senator Ratliff called up House bill No. 139 (local bill), and on motion of Senator Ratliff the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its second reading by the following vote:

Yeas—21.

Adams.	McNealus.
Bryan.	Murray.
Carter.	Peeler.
Greer.	Perkins.
Hudspeth.	Ratliff.
Hume.	Real.
Lattimore.	Terrell, McLennan.
Mayfield.	Terrell, Wise.

Townsend.
Vaughan.
Ward.

Warren.
Willacy.

Absent.

Astin.
Cofer.
Collins.
Johnson.
Kauffman.

Meachum.
Paulus.
Sturgeon.
Watson.
Weinert.

On motion of Senator Ratliff, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The Chair laid before the Senate on second reading,

House bill No. 139, A bill to be entitled "An Act creating the Deport Independent School District in Lamar and Red River counties, and defining its boundaries; providing for the election of a Board of Trustees, raising revenue by taxation, issuing bonds and maintaining public free schools therein; repealing House bill No. 564, Chapter 64 of the Thirty-first Legislature, creating the Deport Independent School District in Lamar county, and declaring an emergency."

Bill read second time, and passed to a third reading.

On motion of Senator Ratliff, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Adams.
Bryan.
Carter.
Greer.
Hudspeth.
Hume.
Lattimore.
Mayfield.
McNealus.
Murray.
Peeler.

Perkins.
Ratliff.
Real.
Terrell, McLennan.
Terrell, Wise.
Townsend.
Vaughan.
Ward.
Warren.
Willacy.

Absent.

Astin.
Cofer.
Collins.
Johnson.
Kauffman.

Meachum.
Paulus.
Sturgeon.
Watson.
Weinert.

The bill was read third time and passed by the following vote:

Yeas—21.

Adams.
Bryan.
Carter.
Greer.
Hudspeth.
Hume.
Lattimore.
Mayfield.
McNealus.
Murray.
Peeler.

Perkins.
Ratliff.
Real.
Terrell, McLennan.
Terrell, Wise.
Townsend.
Vaughan.
Ward.
Warren.
Willacy.

Absent.

Astin.
Cofer.
Collins.
Johnson.
Kauffman.

Meachum.
Paulus.
Sturgeon.
Watson.
Weinert.

Senator Ratliff moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SIMPLE RESOLUTION.

By Senator Warren:

Whereas, Hon. F. E. Echols, a member of the Senate of the State of Oklahoma, is now in this chamber; I therefore move that he be invited to address the Senate.

The resolution was read and adopted.

The Chair appointed Senators Warren, Murray and Terrell of McLennan to escort Senator Echols to the president's stand. Senator Echols being introduced, addressed the Senate briefly.

SENATE BILL NO. 17.

Senator Bryan called up Senate bill No. 17 (local bill), and

The Chair laid before the Senate on second reading,

Senate bill No. 17, A bill to be entitled "An Act to create a more efficient road system for Nolan county, Texas, and making County Commissioners ex officio road commissioners of their respective precincts, and prescribing their powers and duties as such and providing for the compensation of such road commissioners, and providing for the purchase of material for the construction and maintenance of roads

and bridges, and providing for the compensation for such material, and prescribing certain duties for road overseers; providing a compensation of \$2 per day for overseers for each day's service per year in excess of five days; providing certain duties for County Treasurers; providing that any person liable for road duty any year shall be exempt upon the payment of \$3 into the county treasury; providing for money payment in lieu of work after summons and before date of work; providing that this Act is cumulative of the general laws and fixing penalties and declaring an emergency."

Bill read second time, and ordered engrossed.

On motion of Senator Bryan, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Adams.	Perkins.
Bryan.	Ratliff.
Carter.	Real.
Greer.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Murray.	Willacy.
Peeler.	

Absent.

Astin.	Meachum.
Cofer.	Paulus.
Collins.	Sturgeon.
Johnson.	Watson.
Kauffman.	Weinert.

The bill was read third time and passed by the following vote:

Yeas—21.

Adams.	Perkins.
Bryan.	Ratliff.
Carter.	Real.
Greer.	Terrell, McLennan.
McNealus.	Terrell, Wise.
Hudspeth.	Townsend.
Hume.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
Murray.	Willacy.
Peeler.	

Absent.

Astin.	Meachum.
Cofer.	Paulus.
Collins.	Sturgeon.
Johnson.	Watson.
Kauffman.	Weinert.

Senator Bryan moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 180.

Senator Terrell of Wise called up Senate bill No 180 (local bill), and on motion of Senator Terrell of Wise, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its second reading by the following vote:

Yeas—21.

Adams.	Perkins.
Bryan.	Ratliff.
Carter.	Real.
Greer.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Murray.	Willacy.
Peeler.	

Absent.

Astin.	Meachum.
Cofer.	Paulus.
Collins.	Sturgeon.
Johnson.	Watson.
Kauffman.	Weinert.

On motion of Senator Terrell of Wise, the Senate rule requiring committee reports to lie over for one day was suspended for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The Chair laid before the Senate on second reading,

Senate bill No. 180, A bill to be entitled "An Act amending the local road law for Wise county." (See caption under head of Bills and Resolutions and captions.)

Bill read second time and ordered engrossed.

On motion of Senator Terrell of Wise, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Adams.	Perkins.
Bryan.	Ratliff.
Carter.	Real.
Greer.	Terrell, McLennan
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Lattimore.	Vaughan
Mayfield.	Ward.
McNealus.	Warren.
Murray.	Willacy.
Peeler.	

Absent.

Astin.	Meachum.
Cofer.	Paulus.
Collins.	Sturgeon.
Johnson.	Watson.
Kauffman.	Weinert.

The bill was read third time and passed by the following vote:

Yeas—21.

Adams.	Perkins.
Bryan.	Ratliff.
Carter.	Real.
Greer.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Murray.	Willacy.
Peeler.	

Absent.

Astin.	Meachum.
Cofer.	Paulus.
Collins.	Sturgeon.
Johnson.	Watson.
Kauffman.	Weinert.

Senator Terrell of Wise moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 172.

Senator Bryan called up Senate bill No. 172 (local bill), and

On motion of Senator Bryan, the Constitutional rule requiring bills to

be read on three several days was suspended and the bill put on its second reading by the following vote:

Yeas—21.

Adams.	Perkins.
Bryan.	Ratliff.
Carter.	Real.
Greer.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Murray.	Willacy.
Peeler.	

Absent.

Astin.	Meachum.
Cofer.	Paulus.
Collins.	Sturgeon.
Johnson.	Watson.
Kauffman.	Weinert.

On motion of Senator Bryan, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The Chair laid before the Senate on second reading,

Senate bill No. 172, local road law for Scurry county (see caption under head of Bills and Resolutions).

Bill read second time, and ordered engrossed.

On motion of Senator Bryan, the Constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the followings vote:

Yeas—21

Adams.	Perkins.
Bryan.	Ratliff.
Carter.	Real.
Greer.	Terrell, McLennan,
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Murray.	Willacy.
Peeler.	

Absent.

Astin.	Cofer.
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Collins. Paulus.
Johnson. Sturgeon.
Kauffman. Watson.
Meachum. Weinert.

The bill was read third time, and passed by the following vote:

Yeas—21.

Adams. Perkins.
Bryan. Ratliff.
Carter. Real.
Greer. Terrell, McLennan.
Hudspeth. Terrell, Wise.
Hume. Townsend.
Lattimore. Vaughan.
Mayfield. Ward.
McNealus. Warren.
Murray. Willacy.
Peeler.

Absent.

Astin. Meachum.
Cofer. Paulus.
Collins. Sturgeon.
Johnson. Watson.
Kauffman. Weinert.

Senator Bryan moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 176.

Senator Willacy called up Senate bill No. 176 (local bill), and

On motion of Senator Willacy, the Constitutional rule requiring bills to be read on three several days was suspended and the bill put on its second reading by the following vote:

Yeas—21.

Adams. Perkins.
Bryan. Ratliff.
Carter. Real.
Greer. Terrell, McLennan.
Hudspeth. Terrell, Wise.
Hume. Townsend.
Lattimore. Vaughan.
Mayfield. Ward.
McNealus. Warren.
Murray. Willacy.
Peeler.

Absent.

Astin. Meachum.
Cofer. Paulus.
Collins. Sturgeon.
Johnson. Watson.
Kauffman. Weinert.

On motion of Senator Willacy, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The Chair laid before the Senate on second reading

Senate bill No. 176, an Act to incorporate the city of Laredo (see caption under head of Bills and Resolutions).

Bill read second time, and ordered engrossed.

On motion of Senator Willacy, the Constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Adams. Perkins.
Bryan. Ratliff.
Carter. Real.
Greer. Terrell, McLennan.
Hudspeth. Terrell, Wise.
Hume. Townsend.
Lattimore. Vaughan.
Mayfield. Ward.
McNealus. Warren.
Murray. Willacy.
Peeler.

Absent.

Astin. Meachum.
Cofer. Paulus.
Collins. Sturgeon.
Johnson. Watson.
Kauffman. Weinert.

The bill was read third time and passed by the following vote:

Yeas—21.

Adams. Perkins.
Bryan. Ratliff.
Carter. Real.
Greer. Terrell, McLennan.
Hudspeth. Terrell, Wise.
Hume. Townsend.
Lattimore. Vaughan.
Mayfield. Ward.
McNealus. Warren.
Murray. Willacy.
Peeler.

Absent.

Astin. Cofer.

Collins.
Johnson.
Kauffman.
Meachum.

Paulus.
Sturgeon.
Watson.
Weinert.

Senator Willacy moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 174.

Senator Adams called up Senate bill No. 174 (local bill), and

On motion of Senator Adams, the Constitutional rule requiring bills to be read on three several days was suspended and the bill put on its second reading by the following vote:

Yeas—21.

Adams.	Perkins.
Bryan.	Ratliff.
Carter.	Real.
Greer.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Murray.	Willacy.
Peeler.	

Absent.

Astin.	Meachum.
Cofer.	Paulus.
Collins.	Sturgeon.
Johnson.	Watson.
Kauffman.	Weinert.

On motion of Senator Adams, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The Chair laid before the Senate on second reading,

Senate bill No. 174, local road law for Brown county (see caption under head of Bills and Resolutions).

Bill read second time, and ordered engrossed.

On motion of Senator Adams, the Constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Adams.	Perkins.
Bryan.	Ratliff.
Carter.	Real.
Greer.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Murray.	Willacy.
Peeler.	

Absent.

Astin.	Meachum.
Cofer.	Paulus.
Collins.	Sturgeon.
Johnson.	Watson.
Kauffman.	Weinert.

The bill was read third time, and passed by the following vote:

Yeas—21.

Adams.	Perkins.
Bryan.	Ratliff.
Carter.	Real.
Greer.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Murray.	Willacy.
Peeler.	

Absent.

Astin.	Meachum.
Cofer.	Paulus.
Collins.	Sturgeon.
Johnson.	Watson.
Kauffman.	Weinert.

Senator Adams moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 9.

Senator Hume called up House bill No. 9 (local bill), and

On motion of Senator Hume, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its second reading by the following vote:

Yeas—21.

Adams.	Carter.
Bryan.	Greer.

Hudspeth.	Real.
Hume.	Terrell, McLennan.
Lattimore.	Terrell, Wise.
Mayfield.	Townsend.
McNealus.	Vaughan.
Murray.	Ward.
Peeler.	Warren.
Perkins.	Willacy.
Ratliff.	

Absent.

Astin.	Meachum.
Cofer.	Paulus.
Collins.	Sturgeon.
Johnson.	Watson.
Kauffman.	Weinert.

On motion of Senator Hume, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The Chair laid before the Senate on second reading,

House bill No. 9, local court bill for Harris county. (See caption in first House message.)

Bill read second time, and passed to a third reading.

On motion of Senator Hume, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Adams.	Perkins.
Bryan.	Ratliff.
Carter.	Real.
Greer.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Murray.	Willacy.
Peeler.	

Absent.

Astin.	Meachum.
Cofer.	Paulus.
Collins.	Sturgeon.
Johnson.	Watson.
Kauffman.	Weinert.

The bill was read third time and passed by the following vote:

Yeas—21.

Adams.	Perkins.
Bryan.	Ratliff.
Carter.	Real.
Greer.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Murray.	Willacy.
Peeler.	

Absent.

Astin.	Meachum.
Cofer.	Paulus.
Collins.	Sturgeon.
Johnson.	Watson.
Kauffman.	Weinert.

Senator Hume moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

REPLY FROM CONE JOHNSON.

Tyler, Texas, Feb. 3, 1911.

Hon. Clyde D. Smith, Secretary of Texas Senate, Austin, Texas.

Dear Sir: I am in receipt of your letter of January 30th containing the resolution passed by the Senate inviting me to address that body at some time during the present session. I desire to thank the Senate for this compliment. If I can find the time during the present session on some occasion convenient to the Senate and its engagements, it will afford me pleasure to comply with their invitation.

With respect, I remain,

Very truly yours,

CONE JOHNSON.

RECESS.

On motion of Senator Perkins, the Senate, at 12:50 o'clock p. m., recessed until 7:45 o'clock p. m., to-night.

AFTER RECESS.

The Senate was called to order by President Pro Tem. Hudspeth.

The Chair stated that the hour, 8 o'clock p. m., had arrived, which time had been previously designated for the Senate to meet with the House in Joint Session for the purpose of

hearing Governor Haskell's address. The Senate accordingly repaired to the House.

RECEPTION TO EX-GOVERNOR HASKELL OF OKLAHOMA.

(In Joint Session.)

The hour of 8 o'clock p. m., fixed by concurrent action of the two houses for the Senate and House of Representatives to meet in joint session for the purpose of hearing the address of ex-Governor C. N. Haskell of Oklahoma, having arrived, the Honorable Senate of Texas, being announced at the bar of the House, were, by direction of the Chair, admitted.

Escorted by the Sergeant-at-Arms of the Senate, James Hornbuckle, the Secretary of the Senate, Clyde D. Smith, and the Journal Clerk of the Senate, R. M. Gilmore, the Honorable Senators advanced into the hall, and, by direction of the Chair, occupied seats along the aisle already prepared for them.

The President Pro Tem. of the Senate, Hon. Claude B. Hudspeth, by invitation of Mr. Harmon, who was in the chair, occupied a seat on the Speaker's stand to the right of the Speaker.

The President Pro Tem. of the Senate then directed the Secretary of the Senate to call the roll of the Senate.

The roll of the Senate was called, and the President Pro Tem. of the Senate announced a quorum of the Senate present.

The Chair (Mr. Harmon) then directed the Clerk to call the roll of the House.

The roll of the Senate was called, and the Chair announced a quorum of the House present.

The Chair then stated that the two houses were in joint session for the purpose of hearing the address of ex-Governor C. N. Haskell of Oklahoma.

At 8:20 o'clock p. m., Governor Haskell and party, under the escort of the joint committee of the House and Senate, Senators Mayfield, Townsend and Real, and Messrs. Hornby, Standifer and Mangum, and Governor O. B. Colquitt, being announced at the bar of the House, were admitted and approached the Speaker's stand, where they were invited to seats.

The Chair then presented Governor Colquitt, who introduced Governor Haskell to the joint session.

Governor Haskell then addressed the joint session and the assemblage.

At the conclusion of the address by Governor Haskell, on the suggestion of the President Pro Tem. of the Senate, Hon. Claude Hudspeth, and the Chair, Mr. Harmon, and on motion of Senator Warren, on the part of the Senate, and Mr. Hunt, on part of the House, a unanimous vote of thanks of the House and Senate was extended to Governor Haskell for his address.

SENATE RETIRES.

On motion of Senator Warren, the Senate, at 9:15 o'clock p. m., retired to its chamber.

IN THE SENATE.

At the conclusion of the Joint Session the Senate returned to the Senate chamber.

ADJOURNMENT.

On motion of Senator Perkins, the Senate adjourned until 10 o'clock tomorrow morning.

APPENDIX.

BILL PRINTED IN FULL.

Following is Senate bill No. 61, printed here by Joint Rules of the Senate and House:

An Act to amend Chapter 164 of the General Laws of the State of Texas, passed at the Regular Session of the Twenty-ninth Legislature, approved May 1, 1905, relating to a system of State, county and city depositories for State, county and city funds, as amended by Chapter 90, General Laws of the State of Texas, passed at the Regular Session of the Thirtieth Legislature, and approved April 12, 1907, also relating to the same subject; so as to further define what banks or banking institutions may become State depositories, and providing for the advertising of bids for the safe keeping and the payment of the deposits of said funds; and further regulating such depositories, repealing all laws in conflict with this Act, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 1, 3a, 6

and 9, of Chapter 164, of the General Laws of the State of Texas, passed at the Regular Session of the Twenty-ninth Legislature and approved May 1, 1905, relating to a system of State, county and city depositories for State, county and city funds, as amended by Chapter 90, of the General Laws of the State of Texas, passed at the Regular Session of the Thirtieth Legislature, approved April 12, 1907, relating to the same subject, be amended so as to hereafter read, respectively, as follows:

"Section 1. It shall be the duty of the State Treasurer, at the time and in the manner provided in this Act, to designate a bank or banking institution in each Congressional District in the State of Texas, which shall be known as a State Depository. Said bank or banking institution must be a National bank or an incorporated company authorized to do business in the State of Texas, and must have a paid up capital stock of not less than \$25,000, and any such bank or banking institution may become a bidder under the provisions of any section of this act; but each such depository shall be established and conducted in accordance with and subject to the provisions of this act, and in no instance shall there be made to any such bank or banking institution any award of said funds greater than the amount of its paid up capital stock. Other depositories may be selected in lieu of those not selected from and for Congressional Districts and provided for herein."

The term "Senatorial District," wherever used herein, shall hereafter read and be construed to mean "Congressional District."

"Section 3a. If for any one or more Congressional Districts no bids shall be submitted, or none shall be accepted, or the successful bidder shall fail to qualify, as provided herein, it shall be the duty of the State Treasurer immediately after the date fixed herein for the opening of bids to advertise for bids in such daily newspaper or newspapers of general circulation in the State as they shall deem advisable, for proposals from any bank or banks of the class and character before mentioned in the State to keep, as a State depository, as many equal portions according to the number of Congressional Districts of the State funds, not exceeding fifty thousand dollars as there are such Congressional Districts for which no

depository has been selected, not exceeding equal portions as herein before referred to, to be awarded to any one bidder; such bids to be submitted upon a date named in such notice, not less than twenty nor more than thirty days subsequent to the first publication of said notice last above named. Upon the date named in such notice, the State Treasurer shall open all bids received in the presence of the Comptroller and Attorney General, and shall, with their approval and consent, award the keeping of the number of equal portions as herein before referred to of the State funds for which proposals have been advertised for to the highest and best bidders therefor. At the discretion of the State Treasurer, Comptroller and Attorney General, one bidder making a proposal under the provisions of this section may be awarded the keeping of two equal portions or not exceeding one hundred thousand dollars of the State funds, and in such case such bidder shall deposit securities of double the value of the same class and character and give double the value of the same class and character and give double the indemnity bond required by this Act for depositories selected from Congressional Districts, and shall be governed by all the restrictions and regulations imposed upon them by this act. All depositories selected under this section shall be required to file with their bids the same certified check to be forfeited under the same conditions and their tenure shall terminate at the same time as depositories selected from Congressional Districts. No award shall in any case be made to any bidder under this section who shall propose to pay less than two per cent per annum on daily balances for the purposes of this Act the term "equal portions" shall be construed to mean "as near as may be."

"Section 6. The State Treasurer shall also require the deposit as collateral security for such deposit required, United States, State, county, independent school district or municipal bonds in an amount equal to the sum deposited with and received by each such bank or banking institution, which depository shall not be required, however, to receive on deposit more than fifty thousand dollars at any one time; but before any State, county or municipal bonds shall be received as collateral security in such cases, they must be registered with

the Comptroller and approved by the Attorney General of the State of Texas, under the same rules and regulations as are now required for bonds in which the permanent school funds of the State are to be invested; provided, such company, municipal or independent school district bonds must be worth not less than par."

"Section 9. All tax collectors in the State of Texas, and all officers charged with the duty of remitting to the State Treasurer State funds shall, after the passage of this Act, be required to remit all State funds to the State Treasurer as required by law prior to the enactment of Chapter 164, of the General Laws of the State of Texas, passed at the Regular Session of the Twenty-ninth Legislature; and it shall be the duty of the Treasurer of the State of Texas to keep with each State depository in Texas a correct account showing a true and correct statement of the account of said depository with the State of Texas, and the balance on hand in each at the close of each day's business."

Sec. 2. All laws and parts of laws in conflict with the provisions of this Act shall be and the same are hereby repealed.

Sec. 3. The fact that there are not sufficient State funds subject to deposit in State depositories to enable the State to secure the benefit of the depository laws throughout all the Senatorial Districts of the State, and the fact that to establish such depositories in Congressional districts only, will be of greater advantage to the State; and the further fact that tax collectors and other officers should be required to remit moneys due the State directly to the State Treasurer instead of placing same on deposit with depositories, creates an emergency and an imperative public necessity requiring that the constitutional rule which require that bills shall be read on three several days be suspended, and it is so suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.

(By Unanimous Consent.)

Committee Room,

Austin, Texas, Feb. 2, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 43, A bill to be en-

titled "An Act to amend Section 10, of Chapter 23 of the General Laws of the First Called Session of the Thirtieth Legislature, so as to extend the time within which and prescribe conditions upon which domestic and foreign corporations which are now in default in payment of franchise taxes and penalties, may pay same and have their right to do business revived by extending until the first day of September, A. D. 1911, the time during which such corporations embraced within the terms of said Act may pay to the Secretary of State franchise taxes and penalties referred to in said Act, and have their rights to do business revived, and providing for forfeiture of the charters of such domestic corporations as may fail so to do; and declaring an emergency."

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WARD, Chairman.

(By Unanimous Consent.)

Committee Room,

Austin, Texas, Feb. 2, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 32, A bill to be entitled "An Act to amend Article 1878, Chapter 3, Title 39 of the Revised Statutes of Texas of 1895 of Texas, providing for taking of depositions and rules of evidence in proceedings in probating wills of deceased persons; and providing for the manner of service of applications and notice thereof, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WARD, Chairman.

Committee Room,

Austin, Texas, Feb. 6, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

House bill No. 139, A bill to be entitled "An Act creating the Deport Independent School District in Lamar and Red River counties, and defining its boundaries; providing for the

election of a Board of Trustees, raising revenue by taxation, issuing bonds and maintaining public free schools therein; repealing House bill No. 564, Chapter 64 of the Thirty-first Legislature, creating the Deport Independent School District in Lamar county, and declaring an emergency."

Beg leave to report that we have had the same under consideration, and recommend that it do pass, and be not printed.

Perkins, Chairman; Ratliff, Real, Hume, Warren.

(Floor Report.)

(By Unanimous Consent.)

Austin, Texas, Feb. 6, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

House bill No. 9, A bill to be entitled "An Act to create the County Court of Harris county for Civil Cases, to define the jurisdiction thereof, and to conform to such change the jurisdiction of the County Court of Harris county, and declaring an emergency."

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed.

Hudspeth, Chairman; Murray, Paulus, Kauffman, Hume, Carter, Weinert, McNealus, Watson, Peeler, Meachum.

(Floor Report.)

(By Unanimous Consent.)

Austin, Texas, Feb. 6, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

Senate bill No. 176, A bill to be entitled "An Act to incorporate the city of Laredo, Webb county, Texas, and to grant it a charter; to provide for its form of government; to define its powers and to prescribe its duties and liabilities; to repeal all acts in conflict herewith and to declare an emergency."

Beg leave to report that we have had same under consideration, and

recommend that same do pass, and be not printed.

Willacy, Acting Chairman; Hume, McNealus, Lattimore, Vaughan, Peeler, Perkins, Hudspeth.

Committee Room,

Austin, Texas, Feb. 6, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 50, A bill to be entitled "An Act to create a more efficient road system for El Paso county, Texas; making the county commissioners of said county ex officio road commissioners and prescribing their duties and compensation; providing for the working of persons subject to road duty upon public roads and city streets, and providing for the amount of time that shall be allowed for terms on road work, and providing for the payment of \$3 in lieu of road work; making delinquent poll tax payers subject to road duty; making it unlawful and providing penalties for injuring any road or anything placed thereon for its benefit, and for injuring trees growing on any public road, for throwing nails, tacks, glass and like substances upon any public road, and for hauling over a public road a vehicle with wheels that tear and injure the road, and for erecting fences or other encroachments upon a public; and providing for the passage of vehicles on the road and fixing a penalty for failure to comply with such provisions; providing for the condemnation of land for road purposes and making it cumulative of the general law; and declaring an emergency."

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Greer, Chairman; Ratliff, Perkins, Kauffman, Johnson Paulus.

(Floor Report.)

Austin, Texas, Feb. 6, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 180, A bill to be entitled "An Act to amend

and extend the special road law of Wise county, Texas, as enacted by the Twenty-seventh Legislature of Texas, so that the same shall hereafter read as herein provided, and declaring an emergency."

Have had same under consideration, and beg to report it back to the Senate with the recommendation that it do pass and be not printed.

Greer, Chairman; Ratliff, Perkins, Kauffman.

(Floor Report.)

(By Unanimous Consent.)

Austin, Texas, Feb. 6, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 172, A bill to be entitled "An Act creating a more effective road system for Scurry county, Texas, and making county commissioners ex officio road commissioners of their respective precincts and prescribing their powers and duties as such; and providing for the compensation of such road commissioners; and providing for the purchase of materials for the construction and maintenance of roads and bridges; and providing for the payment for such materials, and prescribing certain duties for road overseers; providing a compensation of two (\$2.00) dollars per day for overseers for each day's service per year in excess of five days; providing certain duties for county treasurers, providing that any person liable for road duty any year, shall be exempt upon the payment of three (\$3.00) dollars into the county treasury; providing for money payment in lieu of work after summons and before date of work; providing that this Act is cumulative of the general laws and fixing penalty and declaring an emergency,"

Have had the same under consideration and beg leave to report it back to the Senate with the recommendation that it do pass, and be not printed.

Greer, Chairman; Ratliff, Perkins, Weinert, Johnson, Paulus.

(Floor Report.)

(By Unanimous Consent.)

Austin, Texas, Feb. 6, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 174, A bill to be entitled "An Act to amend Chapter 79 of the General Laws of the State of Texas, passed by the Twenty-seventh Legislature, and Chapter 51, Act of the Thirty-first Legislature, approved March 16, 1909, creating a more efficient road system for Brown county; providing for the creation of road districts in any political subdivision or any defined district hereafter to be described in said county, prescribing the procedure necessary to the creation of such district; authorizing such districts to issue bonds for the purpose of constructing and maintaining under the direction of the commissioners court of said county, of macadamized, graveled and paved roads or turnpikes, or in aid thereof; providing for the holding of election and the manner thereof, to determine whether or not said bonds shall be issued, declaring the qualification of voters at such election; providing for the interest on such bond and creating a sinking fund for the retirement of same, and providing for the assessment and collection of taxes for such purposes; providing for the investment of said sinking funds and for its custody and deposit when not invested; providing that the court shall take notice of this Act in the same manner as General Laws of this State, making it cumulative of the General Laws of this State, except when in conflict with this Act, and declaring an emergency."

Have had same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass, and be not printed.

Greer, Chairman; Ratliff, Johnson, Perkins, Weinert, Paulus, Kauffman.

Committee Room,

Austin, Texas, Feb., 4, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 88, A bill to be entitled "An Act creating the Electra Independent School District in Wichita county, Texas, and to provide for the election of trustees, raising revenue by taxation, issuing bonds building school houses and maintain-

ing public free schools therein and declaring an emergency."

And find the same correctly engrossed.

M'NEALUS, Acting Chairman.

Committee Room,

Austin, Texas, Feb. 4, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 68, A bill to be entitled "An Act to amend Section 129, Acts of the Twenty-ninth Legislature of Texas, relating to the scholastic age, and to amend Section 89, Chapter 124, of the Acts of the Twenty-ninth Legislature relating to the scholastic census, and declaring an emergency."

And find the same correctly engrossed.

M'NEALUS, Acting Chairman.

Committee Room,

Austin, Texas, Feb. 4, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 36, A bill to be entitled "An Act to amend Section 24, of Article 642, Title 21, Chapter 2, of the Revised Statutes of the State of Texas, providing for the creation of corporations for the purchase and sale of goods, wares, merchandise and agricultural and farm products, so that said section shall also include creation of such corporations for the purpose of gathering and preparing such products for the market, and the purchase, sale and disposal of machinery, appliances and tools of use in connection therewith, and declaring an emergency."

And find the same correctly engrossed.

M'NEALUS, Acting Chairman.

PETITIONS AND MEMORIALS.

By Senator Perkins:

Petition numerously signed by voters of Hunt county, asking support of House bill No. 62, regulating the practice of veterinary medicine.

By Senators Lattimore and Adams:

Petition numerously signed by citizens of their respective district asking the Legislature to change the

statutes so as to eliminate Sunday fairs, shows, races, hunting, fishing, games, sports and excursions.

By Senator McNealus:

Petition numerously signed by citizens of his district asking that the anti-pass law be amended so that superintendents, managers and keepers of all chartered institutions having under their care orphan and dependent children and caretakers thereof while en route to and from said institutions, be entitled to passes for transportation.

By Senator McNealus:

Copy of a resolution adopted and unanimously signed by the directors of the Dallas Chamber of Commerce petitioning the Legislature to enact legislation authorizing the Missouri, Kansas and Texas Railway Company to lease the Texas Central Railroad and operate same as a part of the M., K. & T. Ry. system and further to grant the M., K. & T. system the right to purchase the Texas Central Ry. Co. during the lifetime of the lease of twenty-five years.

By Senator Warren:

Petition numerously signed by citizens of his district asking support of the Texas Itinerant Drug Venders' bill, which has for its object the regulation of the itinerant vending of medicine and other products.

By Senator McNealus:

Communication from J. R. Babcock, Secretary of the Dallas Chamber of Commerce, advising that the directorate of the above organization had voted unanimously to request the Dallas delegation to indorse the minority report on House bill No. 24, known as the Full Crew Bill.

By Senators Terrell of Wise and Real:

Petition numerously signed by citizens of their respective district asking support of the following Senate bills:

Senate bill making it a misdemeanor for a person to give a check on a bank when person has no money in said bank to meet the check on presentation.

Senate bill imposing a special tax on persons who sell so-called bankrupt and damaged stocks of mer-

chandise in towns other than their place of residence.

Senate bill amending the law as to peddlers by specifically defining a peddler.

Senate bill giving mortgagee the right to inspect mortgaged property at any time.

By Senators Townsend, Warren and Murray:

Petitions numerously signed respectively by citizens of Lufkin, Corsicana and Stockdale disfavoring the bill known as the Full Crew and asking that same do not pass.

By Senator Ratliff:

Petition numerously signed by citizens and voters of Titus county asking that Franklin county be permitted to remain where it is located in the Fifth Judicial District should a change in the district be contemplated.

By Senator Murray:

Petition numerously signed by citizens of his district requesting support of House bill No. 28, which provides that all convict goods be labelled "Convict made."

By Senator Murray:

Petition numerously signed by citizens of his district asking the Legislature to enact laws authorizing county commissioners courts to contract for the collection of delinquent taxes with county attorney's and allow the latter the same fees as are permitted to unofficial persons.

By Senator Ward:

Petition numerously signed by citizens of Grandview and Hillsboro asking support of an amendment to the Anti-pass law permitting railroad companies to grant free passes to volunteer fire companies en route to and from attendance on their State and National conventions.

SEVENTEENTH DAY.

Senate Chamber,
Austin, Texas,

Tuesday, Feb. 7, 1911.

The Senate met pursuant to adjournment, and was called to order by President Pro Tem. Hudspeth.

Roll called; quorum being present,

the following Senators answering to their names:

Adams.	Peeler.
Astin.	Perkins.
Bryan.	Ratliff.
Carter.	Real.
Cofer.	Terrell, McLennan.
Collins.	Terrell, Wise.
Greer.	Townsend.
Hudspeth.	Vaughan.
Hume.	Ward.
Kauffman.	Warren.
Lattimore.	Watson.
Mayfield.	Weinert.
McNealus.	Willacy.
Murray.	

Absent.

Johnson.	Paulus.
Meachum.	Sturgeon.

Prayer by the chaplain.

Pending the reading of the Journal of yesterday, on motion of Senator Perkins the same was dispensed with.

REGULAR ORDER.

The regular order of business was called (see Appendix for "Committee Reports" and "Petitions and Memorials").

(Senator Weinert in the chair.)

EXCUSED.

On account of committee work:

Senator Cofer for Saturday and yesterday, on motion of Senator Ratliff.

Senator Ratliff for Saturday, on motion of Senator Cofer.

BILLS AND RESOLUTIONS.

By Senator Mayfield:

Senate bill No. 186, A bill to be entitled "An Act to amend Chapter 56 of the Acts of the Regular Session of the Thirty-first Legislature (1909), approved March 17, 1909, relating to the State Institution for the Training of Juveniles," by adding thereto a new article to be known as Article 2947a, providing for religious services at said institution and the employment of a chaplain, and declaring an emergency.

Read first time and referred to Committee on Educational Affairs.

By Senator Hudspeth:

Senate bill No. 187, A bill to be